

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

FUNCTION MEDIA, L.L.C., §  
Plaintiff, § Civil Action No. 2007-CV-279  
vs. §  
§  
GOOGLE, INC. AND YAHOO, INC., §  
§  
Defendants. § JURY TRIAL DEMANDED

**FUNCTION MEDIA, L.L.C.'S UNOPPOSED  
MOTION FOR LEAVE TO EXCEED PAGE LIMIT IN ITS  
MOTION FOR NEW TRIAL**

Function Media, L.L.C. ("Function Media") respectfully moves this Court for leave to file twelve additional pages, for a total of twenty-seven pages, in its Motion for New Trial. Granting this motion will permit Function Media to more fully brief its motion, thereby assisting the Court in its decision. This motion is unopposed by Google. A proposed order is submitted herewith.

Dated: March 3, 2010

Respectfully submitted,

/s/ Max L. Tribble Jr.  
Max L. Tribble Jr.  
State Bar No. 20213950  
Email: mtribble@susmangodfrey.com  
SUSMAN GODFREY L.L.P.  
1000 Louisiana, Suite 5100  
Houston, Texas, 77002  
Telephone: (713) 651-9366  
Facsimile: (713) 654-6666

Lead Attorney for Plaintiff

OF COUNSEL:

Joseph S. Grinstein  
State Bar No. 24002188  
Aimée Robert  
State Bar No. 24046729  
SUSMAN GODFREY L.L.P.  
1000 Louisiana Street, Suite 5100  
Houston, Texas 77002-5096  
Telephone: (713) 651-9366  
Fax: (713) 654-6666  
[jgrinstein@susmangodfrey.com](mailto:jgrinstein@susmangodfrey.com)  
[arobert@susmangodfrey.com](mailto:arobert@susmangodfrey.com)

Jeremy Brandon  
State Bar No. 24040563  
Warren T. Burns  
State Bar No. 24053119  
SUSMAN GODFREY L.L.P.  
901 Main Street, Suite 5100  
Dallas, Texas 75202-3775  
Telephone: (214) 754-1900  
Fax: (214) 754-1933  
[jbrandon@susmangodfrey.com](mailto:jbrandon@susmangodfrey.com)  
[wburns@susmangodfrey.com](mailto:wburns@susmangodfrey.com)

Justin A. Nelson  
State Bar No. 24034766  
SUSMAN GODFREY L.L.P.  
1201 Third Avenue, Suite 3800  
Seattle, Washington 98101-3000  
Telephone: (206) 516-3880  
Fax: (206) 516-3883  
[jnelson@susmangodfrey.com](mailto:jnelson@susmangodfrey.com)

Robert Christopher Bunt  
State Bar No. 00787165  
Charles Ainsworth  
PARKER, BUNT & AINSWORTH, P.C.  
100 East Ferguson, Suite 1114  
Tyler, Texas 75702  
Telephone: (903) 531-3535  
Fax: (903) 533-9687  
[rcbunt@pbatyler.com](mailto:rcbunt@pbatyler.com)  
[charley@pbatyler.com](mailto:charley@pbatyler.com)

S. Calvin Capshaw

State Bar No. 037839000  
Elizabeth L. DeRieux  
State Bar No. 05770585  
D. Jeffrey Rambin  
CAPSHAW DERIEUX, LLP  
Energy Centre  
1127 Judson Road, Suite 220  
P.O. Box 3999 (75606-3999)  
Longview, Texas 75601-5157  
Telephone: (903) 236-9800  
Fax: (903) 236-8787  
[ccapshaw@capshawlaw.com](mailto:ccapshaw@capshawlaw.com)  
[ederieux@capshawlaw.com](mailto:ederieux@capshawlaw.com)  
[jrambin@capshawlaw.com](mailto:jrambin@capshawlaw.com)

Otis Carroll  
State Bar No. 03895700  
Collin Maloney  
State Bar No. 00794219  
IRELAND, CARROLL & KELLEY, P.C.  
6101 S. Broadway, Suite 500  
Tyler, Texas 75703  
Telephone: (903) 561-1600  
Fax: (903) 581-1071  
[otiscarroll@icklaw.com](mailto:otiscarroll@icklaw.com)  
[cmaloney@icklaw.com](mailto:cmaloney@icklaw.com)

#### **CERTIFICATE OF CONFERENCE**

I hereby certify that on March 3, 2010, counsel for Function Media conferred with counsel for Google regarding this motion. Counsel for Google indicated that Google is not opposed to the relief sought in this motion.

/s/ Max L. Tribble Jr.  
Max L. Tribble Jr.

**CERTIFICATE OF SERVICE**

I hereby certify that on March 3, 2010, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, using the electronic filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

*/s/ Max L. Tribble Jr.* \_\_\_\_\_  
Max L. Tribble Jr.